

REMARKS

The Applicants wish to thank the Examiner for thoroughly reviewing and considering the pending application. The Office Action dated February 3, 2005 has been received and carefully reviewed. Claims 1-6 are currently pending. Claim 4 has been amended to satisfy typical claim language. Reexamination and reconsideration are respectfully requested.

The Office Action rejected claims 1-3 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,195,910 to *Robineau* (hereinafter "*Robineau*"). The Applicants respectfully traverse this rejection.

As required in Chapter 2131 of the M.P.E.P., in order to anticipate a claim under 35 U.S.C. §102, "the reference must teach every element of the claim." The Applicants respectfully submit that *Robineau* does not teach every element recited in claim 1. Thus, *Robineau* cannot anticipate claim 1. In particular, claim 1 recites a clothes dryer comprising, among other features, a top cover having "a groove provided at a rear portion of the top cover." *Robineau* does not disclose this feature. *Robineau* discloses a laundry dryer 16 having a top wall 22 and a control panel 28. See e.g., col. 7, ll. 60-66. The control panel 28 includes a device-to-dryer second attachment component 102. The device-to-dryer second attachment component 102 is Velcro™ which includes hook and loop fibers. See e.g., col. 10, ll. 7-16. According to the Office Action, the loop fibers are considered to inherently anticipate the claimed groove. See Office Action at pages 2 and 3.

As clearly shown in the Figures, the groove is a relatively long, narrow channel. This definition is clearly supported by any number of dictionaries, such as the American Heritage Dictionary which defines the term groove as "a long narrow furrow or channel." Thus, the Applicants are using the meaning of the term in the plain and ordinary sense. Velcro™ loop

fibers are not long narrow furrows or channels. Velcro™ loop fibers are short pieces of line, thread, ribbon, or other thin material that is doubled over to form an opening, as is well known. Clearly, Velcro™ has nothing to do with a “groove” as that term is used in the present application, and *Robineau* therefore does not anticipate claim 1.

Even assuming, *arguendo*, that the loops somehow constitute a groove, *Robineau* still fails to disclose that the top wall 22 includes a groove. As may be clearly seen in Figure 1B of *Robineau*, the device-to-dryer second attachment component 102 is disposed at the back of the control panel 28. Alternatively, it may be attached to the dryer back wall 20. However, *Robineau* does not disclose that the device-to-dryer second attachment component 102 is attached to part of the top wall.

For at least each of the afore-mentioned reasons, the Applicants respectfully submit that *Robineau* fails to disclose each and every element recited in claim 1, and request that the rejection be withdrawn. Similarly, claims 2 and 3, which depend from claim 1, are also patentable for at least the same reasons.

In addition, the Office Action rejected claims 4-6 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 2,966,051 to *Gerhardt* (hereinafter “*Gerhardt*”). The Applicants respectfully traverse this rejection. Initially, the Applicants wish to point out that the Office Action fails to set forth any explanation as to how *Gerhardt* anticipates claims 4-6.

Nevertheless, *Gerhardt* does not disclose each and every element recited in claim 4. Accordingly, *Gerhardt* cannot anticipate claim 4. More specifically, claim 4 recites a laundry dryer comprising, among other features, a top cover which includes “a groove which runs along a width of the top cover wherein the groove directs fluid on the top cover toward an exterior of the laundry dryer.” *Gerhardt* does not disclose this feature. While *Gerhardt* discloses a cabinet

top 11 and a radially, inwardly directed groove 41, the top cover 11 does not include the groove 41. Instead, the groove 41 is part of a clothes guard 39 that is disposed on an annular flange 31 of a tub B. *See e.g.*, col. 4, l. 68 - col. 5, l. 2 and Figures 3 and 4 of *Gerhardt*. Therefore, *Gerhardt* does not disclose each and every element recited in claim 4 and the Applicants request that the rejection be withdrawn. Likewise, claims 5 and 6, which depend from claim 4, are also patentable for at least the same reasons.

The Office Action also provisionally rejected claims 1-6 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 15-25 of co-pending Application No. 10/629,775. As this is a provisional rejection, the Applicants will tend to this rejection upon an indication of allowability.

The application is in a condition for allowance and favorable action is respectfully solicited. If for any reason the Examiner has any questions regarding this application, the Examiner may call the undersigned attorney at (202) 496-7500. All correspondence should continue to be sent to the below-listed address.

Application No.: 10/663,997
Amendment dated May 2, 2005
Reply to Office Action dated February 3, 2005

Docket No.: 9988.058.00-US

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: May 2, 2005

Respectfully submitted,

By Valerie P. Hays ^{Reg. No. 53,005}
for Mark R. Kresloff
Registration No.: 42,766
MCKENNA LONG & ALDRIDGE LLP
1900 K Street, N.W.
Washington, DC 20006

Attorney for Applicants